

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 13-CR-0188(3) (PJS/TNL)

Plaintiff,

v.

ORDER

JOE ANGEL PEÑA,

Defendant.

This matter is before the Court on defendant Joe Angel Peña's motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A). Under § 3582(c)(1)(A)(i), a court may reduce a defendant's term of imprisonment if, "after considering the factors set forth in section 3553(a) to the extent that they are applicable," the court finds that "extraordinary and compelling reasons warrant such a reduction" and "that such a reduction is consistent with applicable policy statements issued by the Sentencing Commission."

Before filing such a motion, however, a defendant must first meet the exhaustion requirement of § 3582(c)(1)(A). *See id.* (permitting a defendant to move for compassionate release after he has "fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier").

The government opposes Peña's motion both on the merits and because Peña did not submit a request to the warden of his facility before filing his motion. ECF No. 198 at 6. Peña does not dispute that he failed to submit such a request. ECF No. 201 at 3 (stating that "I was unaware that I had to file claims thru the B.O.P first"). Accordingly, the Court must deny Peña's motion without prejudice. *See United States v. Houck*, 2 F.4th 1082, 1084 (8th Cir. 2021) (the exhaustion requirement of § 3582(c)(1)(A) is a mandatory claims-processing rule that, if properly raised by the opposing party, must be enforced).

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT defendant's motion for compassionate release [ECF No. 193] is DENIED.

Dated: June 27, 2025

/s/ Patrick J. Schiltz
Patrick J. Schiltz, Chief Judge
United States District Court